



CITY OF BRUNSWICK

1 W. Potomac Street • Brunswick, Maryland 21716 • (301) 834-7500

Brunswick Planning Commission Minutes April 23, 2007

Commission Members Present: Chair Ed Gladstone, Secretary Wayne Dougherty, Council Liaison Walt Stull, Don Krigbaum, and Ellis Burruss, Alternate.

Staff Present: Planning & Zoning Administrator Rick Stup and City Development Review Planner Jeff Love.

Chair Gladstone called the meeting to order at 7:00 PM.

Mr. Gladstone requested all those in attendance who were going to speak to rise and be sworn in.

Minutes

The minutes of the March 26, 2007 meeting were reviewed and approved as amended. (MOTION by Mr. Krigbaum and seconded by Mr. Dougherty unanimously passed.)

Chair

Mr. Gladstone stated that the night's events were being televised and recorded.

Mr. Stup reviewed the Agenda Package, announced that Ms. Koenig was out of town and would miss the meeting, and reminded the Commission that the May Planning Commission was one week early due to the Memorial Day Holiday.

Old Business

Zoning – Site Plans

Galyn Manor Recreational Amenities Site Plan – Staff update of the status of the Temporary Use of the School Site for a Recreational Areas in the Galyn Manor PUD, located West of MD Route 464, North of Souder Road. Zoning Classification: R-1; BR-PUD-01-SP-RA

Staff Presentation: Mr. Stup briefed the Commission on the status of the progress for utilization of the BOE School Site for use as a Temporary Recreation Area for Galyn Manor, and answered Commission questions.

Applicant: None.

Public Comment: None.

New Business:

Zoning – Site Plans

BWCI Manufacturing Site Plan- Request for Site Plan Approval for an Accessory Structure, located on Fifth Avenue, D Street & Sixth Avenue. Zoning Classification: I-1; Water and Sewer Classification: W-1, S-1; BR-S-07-01-SP

Mr. Love presented the Staff Report for the BWCI Site Plan. The following items of concern were raised/clarified:

- Staff concurs with the hours noted above with the following restrictions: if the business operates on Saturday hours begin no earlier than 8 AM with a 3 PM closing time, and Sunday operating hours are only between 12 PM and 6 PM. The Site Plan must be revised to reflect the above restrictions to the hours.
- Staff recommends that the type of truck traffic, as part of the 1988 Board of Appeals approval, remain the same and be noted on the Site Plan as such.
- The specific use of the accessory structure must be noted on the plan. If it is used for anything other than storage of materials for the principal use, a different set of requirements may apply and the use of the building may require another review and approval by the Planning Commission and possibly the Board of Appeals.
- The building restriction line is incorrectly depicted along Learning Tree Alley and must be corrected to depict a fifty foot (50') setback.
- It is Staff's recommendation that the parking areas be consolidated and located only to the north of the main building and any areas not used for parking or travelways should be reclaimed to grass areas. Additionally, the south parking area must revert to a landscaped area, with the exception of the two (2) handicapped spaces, which must be located on either side of the entrance, to mitigate the impact on the residential units directly across East D Street.
- Staff recommends the elimination of any entrance from East D Street to the Site and that the Applicant provide a maximum of two (2) dedicated thirty foot (30') Entrances from Learning Tree Way. Additionally, the areas that are not dedicated as entrances must revert to grass areas with a landscaping strip shown to staff's satisfaction.
- The Site Plan must depict the Loading Areas per the requirements of Article 23 and be provided as part of the Parking Calculation.
- Staff concurs with the number and type of landscaping proposed to mitigate the visual effect of the proposed structure. However, due to the Staff suggested proposed revisions to the existing parking areas, the Applicant must provide some type of landscaping acceptable to Staff to screen the industrial property from the adjacent residential uses. This should be in the form of the replanting of grass and several trees on the existing parking area to the south of the building and low shrubbery in the parking lot planting strip.

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- A board-on-board fence with a front gate for trash pickup must be installed around the dumpster as part of the site plan approval.
- All existing and proposed exterior lights must be shown on the plan. Any additional lighting presented as part of Site Plan revisions must be in accordance with the Dark Sky Principle and is subject to Staff review and approval. Additionally, existing exterior lighting must be replaced with fixtures in compliance with Dark Sky Principals.
- Details of this signage must be provided and meet the requirements of the Zoning Ordinance, Article 22 and a calculation provided prior to Planning Commission Chair signature.

Staff recommends approval of the Site Plan in accordance with the Staff Report and with the following specific conditions:

1. The previous Board of Appeals Cases must be noted on the Site Plan.
2. If the business operates on Saturday, hours begin no earlier than 8 AM with a 3 PM closing time, and Sunday operating hours are only between 12 PM and 6 PM. The Site Plan must be revised to reflect the above restrictions to the hours.
3. Truck traffic is limited to single axle box trucks and is noted on the Site Plan.
4. Note the specific use of the accessory structure on the plan.
5. Add a note that, "If the accessory building use for storage of material for the principal use changes, Planning Commission and possibly Board of Appeals approvals may be required."
6. Amend the Building Restriction Lines in accordance with the Zoning Ordinance to include along Learning Tree Alley which must be corrected to a fifty foot (50') setback.
7. Consolidate the parking areas to a location limited to the north of the main building and any areas not use for parking or travelways reclaimed to grass/landscape areas.
8. Re-establish the south parking area to a landscaped area to mitigate the impact on the residential units directly across East D Street with the exception of the two (2) handicapped spaces, which must be located on either side of the entrance to the building.
9. Elimination of any entrances from East D Street to the Site other than the two (2) handicapped spaces and provide a maximum of two (2) dedicated thirty foot (30') Entrances from Learning Tree Way. Areas that are not dedicated as entrances must stabilize with grass areas and a landscaping strip to Staff's satisfaction.
10. The Site Plan must depict the Loading Areas per the requirements of Article 23 and be provided as part of the Parking Calculation.
11. The Applicant must provide some type of landscaping acceptable to Staff to screen the industrial property from the adjacent residential uses.
12. A board-on-board fence with a front gate for trash pickup must be installed around the dumpster.
13. All existing and proposed exterior lights must be shown on the plan.

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14. Any additional lighting presented as part of Site Plan revisions must be in accordance with the Dark Sky Principle and is subject to Staff review and approval. Additionally, existing exterior lighting must be replaced with fixtures in compliance with Dark Sky Principals.
15. Details of this signage must be provided and meet the requirements of the Zoning Ordinance, Article 22 and a calculation provided prior to Planning Commission Chair signature.
16. Address checksheet and Staff comments to Staff's satisfaction.
17. Address appropriate Agency comments.
18. Applicant bound by their testimony.

Mr. Love answered Commission questions.

Mr. Gladstone stated for the record that the original structure had been constructed in the 1930's rather than as previously stated in past cases.

Applicant:

Mr. Steve Harris, BWCI, presented the applicant case with Wilbur Ford, Ford Surveys, and answered Commission questions. He indicated that there were problems with the truck traffic, deliveries, parking hours of operation, and use of the proposed structure as stated in the Staff Report. He further stated that he didn't agree with the old record from past Board of Appeals cases

Staff responded with regard to the official record.

Public Comment:

Mr. Charles Dinterman, 508 East E Street, complained about the Smoke Stack height. Staff responded that it was a Health Issue rather than a Site Plan Issue, and the complaint should be directed to either County Health Department or MDE.

Rebuttal:

Mr. Harris indicated that he was considering withdrawing the application. He also stated that he had just found out in the afternoon what the Staff Report stated.

Staff responded with an explanation of the process for distribution of the Staff Report, and that Staff had notified the applicant to attempt to make him aware of the additional cases that had been found that changed Staff Comments. It was suggested that a Request for Continuance was in order and Staff would support it. However, the applicant indicated by phone that he wanted to proceed. Staff also stated that since there was a motion on the floor to continue, it should be completed, and if the applicant wanted to withdraw the case, written notification was needed for the file to be closed.

Decision

Mr. Burruss made a motion to continue the case until Staff met with the applicant to resolve the various issues and a revised Site Plan was submitted for processing; Mr. Krigbaum seconded the motion.

VOTE: Yea 5 Nay 0

Historic Preservation Plan – County

Review of the proposed Frederick County Historic Preservation Plan Update for recommendation to the Mayor & Council.

Staff Presentation and Recommendation:

Mr. Stup presented the Staff Report for the proposed Frederick County Historic Preservation Plan Update, which included a summary of the revisions.

Staff recommends that the Planning Commission forward an Approval Recommendation to the Mayor and Council for the following reason:

1. The City's ability to execute its Master Plan appears would not be compromised.
2. It appears to be consistent with the intent of the City of Brunswick Historic District approved in 1974.

Staff further recommends the recommendation be forwarded to the Mayor and Council as part of the Staff Report.

Mr. Stup answered Commission questions with regard to the proposed amendment and Staff Recommendation.

Applicant: None since the request was from the Frederick County.

Public Comment: None.

Rebuttal: None.

Decision:

Mr. Dougherty made a motion to approve the amendments in accordance with Staff Recommendation; Mr. Krigbaum seconded the motion.

VOTE: Yea 5 Nay 0

Public Comment:

Mr. Stup stated that the next scheduled meeting was May 21, 2007 at 7:00 PM, which is one week early due to the Memorial Day Holiday.

Mr. Stup informed the Commission that Carole Larsen had been re-assigned from both the Brunswick Region Planner position and as Planning Liaison to the City. In light of her many years of dedicated service to the City on Planning & Zoning, it was suggested that the Mayor be approached to initiate the present of something in recognition for her

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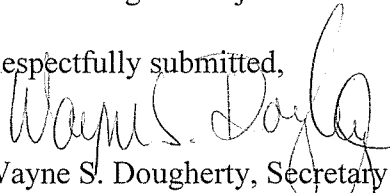
work with the City. Motion by Mr. Burruss; seconded by Mr. Dougherty that Staff coordinate the recognition effort, passed unanimously.

Mr. Stup further explained the situation with regard to the BWCI Site Plan Case stating that Staff had gone out of the way to try to avoid the situation that occurred during the meeting.

Adjournment

The meeting was adjourned at 9:00 PM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Wayne S. Dougherty".

Wayne S. Dougherty, Secretary
Brunswick Planning Commission